

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AMERICAN CIVIL LIBERTIES UNION, *et al.*,)
Plaintiffs,) Civ. A. No. 1:05-CV-1004 (ESH)
v.)) Judge Ellen S. Huvelle
FEDERAL BUREAU OF INVESTIGATION,)
UNITED STATES DEPARTMENT OF JUSTICE,)
Defendants.)

)

DECLARATION OF ANTHONY J. COPPOLINO

I, ANTHONY J. COPPOLINO, do hereby state and declare as follows:

1. I am Special Litigation Counsel for the Department of Justice, Civil Division, Federal Programs Branch, and have been a trial attorney with the Justice Department since October 31, 1988. I am lead counsel for the defendants in this action. I submit this declaration in support of Defendants' Opposition to Plaintiffs' Motion for a Preliminary Injunction and Defendants' Cross-Motion for Partial Summary Judgment and Defendants' Motion for a Stay of Proceedings. The statements herein are based on my personal knowledge and information obtained in the course of my official duties.

2. Exhibit A is a true and correct copy of the district court's opinion in *ACLU of Northern California v. DOJ and FBI*, (Civ. A. No. 04-4447) slip op. (Order Granting Defendants' Motion for Summary Judgment).

3. Exhibit B is a true and correct copy of the "About Us" web page which I downloaded from the website of the American Civil Liberties Union, www.aclu.org.

4. Exhibit C is a true and correct copy of a position paper available on the ACLU's

website, entitled "*Freedom is Why We're Here*," which I downloaded from the website of the American Civil Liberties Union, www.aclu.org.

5. Exhibit D is a true and correct copy of the "Supreme Court" web page which I downloaded from the website of the American Civil Liberties Union, www.aclu.org.

6. Exhibit E is a true and correct copy of the "News" web page which I downloaded from the website of the American Civil Liberties Union, www.aclu.org.

7. Exhibit F is a true and correct copy of the "Press Room" web page which I downloaded from the website of the American Civil Liberties Union, www.aclu.org.

8. Exhibit G is a true and correct copy of an October 5, 2004 press release by the ACLU of Northern California, entitled [FBI's New Surveillance Plan Chills Religious and Political Activity – Bay Area Civil Rights Groups Warn](#), which I downloaded from the web page of the ACLU of Northern California.

9. Exhibit H is a true and correct copy of the "About Us" page which I downloaded from the web site of the Council on American-Islamic Relations ("CAIR"), St. Louis chapter. Under the "newsletter" link is a copy of a newsletter dated Fall 2003 listing James Hacking as Executive Director of the St. Louis CAIR chapter. Also attached is an excerpt from a listing of various CAIR chapters which I downloaded from the web pages of CAIR-Chicago, which also indicates (at page 5 of 10) that James Hacking is the director of the St. Louis CAIR chapter.

10. Exhibit I is a true and correct copy of the district court's opinion and order in *Judicial Watch of Florida, Inc. v. DOJ*, No. 97-2869 (RMU), slip op. (D.D.C. Aug. 25, 1998).

11. Exhibit J is a true and correct copy of the district court's order in *Grecco v. DOJ*, No. 97-0419 (NHJ) (D.D.C. Aug. 24, 1998).

12 Exhibit K is a true and correct copy of the district court's order in *Narducci v. FBI*, No. 98-0130 (D.D.C. Jul. 17, 1998).

13. Exhibit L is a true and correct copy of the district court's opinion and order in *Summers v. CIA*, No. 98-1682 (RWR), slip op. (D.D.C. July 26, 1999).

14. Exhibit M is a true and correct copy of the district court's opinion and order in *Reed v. DOJ*, No. 97-2150, slip op. (D. Ariz. Nov. 10, 1998).

I declare under penalty of perjury that the foregoing is true and correct.

Date: July 5, 2005



ANTHONY J. COPPOLINO

CERTIFICATE OF SERVICE

I hereby certify that on July 5, 2005, the foregoing *Declaration of Anthony J. Coppolino and attachments* was filed electronically and served by means of the Court's ECF notice system. See Local Rule 5.4(d)(1). If otherwise necessary, the foregoing will also be served directly by electronic mail and first-class mail, postage pre-paid, on:

Arthur B. Spitzer
artspitzer@aol.com,
courtfilings@aclu-nca.org
D.C. Bar No. 235960
American Civil Liberties Union of the
National Capital Area
1400 20th Street, N.W. #19
Washington, D.C. 20036

Ben Wizner
bwizner@aclu.org
Staff Attorney
American Civil Liberties Union
125 Broad St., 18th Flr.
New York, NY 10004

/s/ Anthony J. Coppolino
ANTHONY J. COPPOLINO